

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PETER KELLY,)
v.)
Plaintiff)
MICHAEL J. ASTRUE, Commissioner) Civil No. 06-168-P-S
Of Social Security,)
Defendant)

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on July 11, 2007, his Recommended Decision (Docket No. 23). Defendant filed his Objection to the Recommended Decision (Docket No. 24) on July 30, 2007. The Plaintiff filed his response to Defendant's Objection (Docket No. 25) on August 16, 2007.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is **ORDERED** that the Decision of the Commissioner is **VACATED** and **REMANDED** for further proceedings.

/s/ George Z. Singal
Chief United States District Judge

Dated this 27th day of August, 2007.